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MAY 5 1947
CHARLES ELMORE CROPLEY
CLERK

IN THE

# Supreme Court of the United States

OCTOBER TERM, 1946

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No. 1194

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ALICE MARTENS YOUNG, ETC., *Petitioner,*

v.

CLINTON P. ANDERSON, SECRETARY OF AGRICULTURE OF THE UNITED STATES, ET AL.

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## BRIEF FOR STATE OF MISSISSIPPI AS AMICUS CURIAE.

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GREEK L. RICE,
*Attorney General of the State of Mississippi*

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## BRIEF FOR STATE OF MISSISSIPPI AS AMICUS CURIAE.

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### I.

The State of Mississippi is interested in having determined,

(a) Whether a suit brought against the Secretary of Agriculture of the United States and other officers, denying the authority of the Secretary to acquire the lands in Mississippi involved in this action, is a suit against the United States, without its consent; and

(b) Whether the United States is a necessary party to a suit of this character, when it is alleged, not unsubstantially, that title to the lands involved never passed to the United States, by actions of its officers under the authority of the applicable statutes, but remained in those from whom, purportedly, the same had been acquired by the Secretary of Agriculture in the name of the United States.

II.

The Decision rendered by the United States Court of Appeals for the District of Columbia in this case holding that Section 6058, Mississippi Code, 1930 (assuming its validity under the Constitution of Mississippi), was sufficient to grant consent of the legislature to the Secretary of Agriculture of the United States to acquire lands under the provisions of the Weeks Act, affects the public welfare and interest of the State of Mississippi and its sovereignty.

It is submitted that if it appears that the United States never acquired legal title to the lands in controversy, because of ineffectiveness of said Section 6058, Mississippi Code, 1930 (even if it be constitutional), to grant the legislative consent of the State required under the provisions of said Weeks Act, then, under authority of the decision in Land v. Dollar No. 207, October Term, 1946, in the Supreme Court of the United States (April 7, 1947), it would follow that the United States is not a necessary party to suits of this character.

III.

The rulings made herein by the United States Court of Appeals for the District of Columbia, and the questions based thereon in the petition for certiorari, affect the interests of the State of Mississippi.

IV.

The State of Mississippi therefore suggests that the questions raised by the petition for writ of certiorari be reviewed by this Court.

Respectfully submitted,

GREEK L. RICE,
*Attorney General of the State of Mississippi*